10/582414

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Askin, et al.

IAP20 Rec'd PCT/PTO 08 JUN 2006

Serial No.

Not Yet Assigned

Filed: June 8, 2006

For: PROCESS FOR PREPARING

HEXAHYDROPYRIMIDO[1,2-A]AZEPINE-2-CARBOXYLATES AND RELATED COMPOUNDS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Art Unit: Not Yet Assigned

Examiner:

Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

EXPRESS MAIL NO. EVICLOGO IC

HEREBY CERTIFY THAT THIS CORRESPONDENCE BEING DEPOSITED WITH THE UNITED STATES POSTAL

ERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO

INFORMATION DISCLOSURE STATEMENT 10/582414 5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were summed to the discrete form the discrete form that were summed to the discrete form the d

P.O. Box 2000

(732)594-3462 Date: June 8, 2006

Rahway, N.J. 07065-0907

by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED	APPLICATION
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
f this is inconvenient, additional copies will be submitted	l upon request.	****
6. In accordance with 37 C.F.R. 1.97, (check one)		
the attached information is filed within three months	of the filing date of the captioned case	e.
the attached information is filed more than three mor Office Action on the merits.	nths after the filing date but prior to th	e mailing of a first
the attached information is filed before the mailing of examination under §1.114.	f a first Office action after the filing of	a request for continued
the attached information is being filed more than thre Office Action on the merits, but before the mailing da otherwise closes prosecution in the application. The Account No. 13-2755 for the fee required under 37 C	ate of a Final Action, Notice of Alloware enclosed authorization is therefore g	nce, or an action that
each item of information contained in this Information from a foreign patent office in a counterpart foreign a Statement.		
each item of information contained in the information a foreign patent office in a counterpart application ar designated in §1.56(c) more than thirty days prior to	nd this communication was not receiv	ed by any individual
no item of information contained in this Information D foreign patent office in a counterpart foreign application after making reasonable inquiry, was known to any irmonths prior to the filing of this Statement.	ion, and, to the knowledge of the pers	son signing the certifica
	Respectfully submitted	l,
	Kennetty R. Wa	tton
	By: Kenneth R. Walto	
	Attorney For A	Applicant(s)
	Reg. No. <u>32,951</u> MERCK & CO., INC.	
	Patent Dept., RY60-30)

VAPZUHEC'G PUI/FIU V8 JUN 2000
Approved for use through 7/31/2006. OMB 0651-0031
SUBSTITUTE for PTO/SB/08A (07-05). Information Disclosure Statement by Applicant
Patient and Trademark Office; U.S DEPARTMENT OF COMMERCE

				COMPLETE IF KNOWN		
Substitute for form 1449APTO INFORMATION DISCLOSURE		Application Number	Not Yet Assigned E 0 2 4 1			
				Filing Date	June 9, 2006 7582414	
STATEMENT BY APPLICANT		First Named Inventor	Askin, et al.			
				Group Art Unit	Not Yet Assigned	
	(use as many sheets as necessary)			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	21595YP	

	U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY			
	1	2005/0025774	A1	Crescenzi, et al.	02/03/2005			
	2	2005/0075356	A1	Di Francesco, et al.	04/07/2005			
	3	2006/0046985	A1	Crescenzi, et al.	03/02/2006			
	<u> </u>							
	├		-					
	-							
	\vdash							
	1-							
			_					
			-					
			_					
1								

			FOREI	GN PATENT	T DOCUMENTS	
Examiner Initials*	1		Foreign Patent Document Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	4	wo	2004/058757	Al	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti SPA	07/15/2004
	5	wo	2004/058756	Al	Istituto Di Ricerche Di Biologia Molecolare P.	07/15/2004
	6	GB	20011406	A	Chinoin Gyogyszer Es Vegyeszeti Termekek Gyara	07/11/1979
	7	GB	20011407	A	Chinoin Gyogyszer Es Vegyeszeti Termekek Gyara	07/11/1979
	8	wo	03/035076	A1	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti SPA	05/01/2003
	9	wo	03/035077	Al	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti SPA	05/01/2003
	10	wo	03/062211	Al	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti SPA	07/31/2003
	11	wo	02/06246	Al	Istituto Di Ricerche Di Biologia Molecolare P. Angeletti SPA	01/24/2002

Date Considered Examiner Signature

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form * IDS Form* (IDS Folder), Merck & Co., Inc., -7/12/2005